

Attorney Docket No. CNTW-004/00US

PATENT

Express Mail Label Number: EL 870631249 US
Date of Deposit: January 16, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Date: January 16, 2004 By: Sherry Duncan Bitler
Sherry Duncan Bitler

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Tindal et al.

Confirmation No.: 8808

Serial No.: 09/730,671

Examiner: M. Ann

Filed: 12/06/2000

Art Unit: 2152

For: DYNAMIC CONFIGURATION OF NETWORK DEVICES TO ENABLE DATA TRANSFERS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

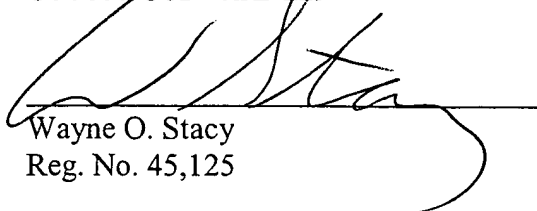
TRANSMITTAL

Transmitted herewith are:

- ☒ [X] Recordation Form Cover Sheet;
- ☒ [X] Notice of Recordation of Assignment Document dated May 15, 2001;
- ☒ [X] Certificate of Amendment to the Restated Certificate of Incorporation of Continuum Networks, Inc. dated April 24, 2001; and
- ☒ [X] Other: Post Card

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

COOLEY GODWARD LLP
Attention: Patent Group
One Freedom Square - Reston Town Center
11951 Freedom Drive
Reston, Virginia 20190-5601
Tel: (720) 566-4125
Fax: (720) 566-4099

Respectfully submitted,
COOLEY GODWARD LLP
By: 
Wayne O. Stacy
Reg. No. 45,125

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
☐ Resubmission (Non-Recordation)
Document ID#
☐ Correction of PTO Error
Reel # Frame #
☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☐ Assignment ☐ Security Agreement
☐ License ☒ Change of Name
☐ Merger ☐ Other

U.S. Government
For Use ONLY by U.S. Government Agencies
☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name (line 1) **Continuum Networks, Inc.**

12/06/2002

Name (line 2)

Second Party

Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) **Intelliden, Inc.**

If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic
representative is attached.
(Designation must be a
separate document from
Assignment.)

Name (line 2)

Address (line 1) **90 South Cascade Avenue, Suite 500**

Address (line 2)

Address (line 3) **Colorado Springs**

CO

80903

City

State/Country

Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

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Date: **January 16, 2004**

By:

Sherry Duncan Bitler
Sherry Duncan Bitler

Correspondent Name and Address

Area Code and Telephone Number

(720) 566-4125

Name **Cooley Godward LLP**

Address (line 1) **One Freedom Square**

Address (line 2) **Reston Town Center**

Address (line 3) **11951 Freedom Drive**

Address (line 4) **Reston, Virginia 20190-5601**

Pages

Enter total number of pages of the attached conveyance document including any attachments.

4

Application Number(s) or Patent Number(s)



Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

09/730,671

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ **\$40.00**

Method of Payment:

Deposit Account

Enclosed ☐

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

50-1283

Authorization to charge additional fees:

Yes



No

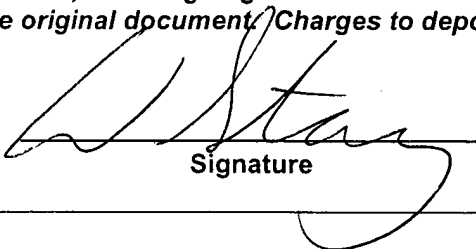


Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Wayne O. Stacy

Name of Person Signing



Signature

January 16, 2004

Date

State of Delaware
Office of the Secretary of State

PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "CONTINUUM NETWORKS, INC.", CHANGING ITS NAME FROM "CONTINUUM NETWORKS, INC." TO "INTELLIDEN, INC.", FILED IN THIS OFFICE ON THE TWENTY-THIRD DAY OF MAY, A.D. 2001, AT 4 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3214628 8100

AUTHENTICATION: 1151352

010248306

DATE: 05-24-01

**CERTIFICATE OF AMENDMENT TO THE
RESTATED CERTIFICATE OF INCORPORATION
OF CONTINUUM NETWORKS, INC.**

Continuum Networks, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, DOES HEREBY CERTIFY:

FIRST: The name of the corporation is Continuum Networks, Inc.

SECOND: The date on which the original Certificate of Incorporation of the corporation was filed with the Secretary of State of the State of Delaware was April 17, 2000. A Restated Certificate of Incorporation was filed with the Secretary of State on September 29, 2000.

THIRD: Article I of the Restated Certificate of Incorporation shall be amended in its entirety to read as follows:

The name of the corporation is Intelliden, Inc. (the "Corporation" or the "Company").

FOURTH: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, Continuum Networks, Inc. has caused this Certificate of Amendment to be signed by its duly authorized officer this 27 day of April, 2001.

CONTINUUM NETWORKS, INC.

By: _____

Dale Hecht

Chief Executive Officer

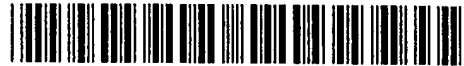


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 15, 2001

PTAS



101634681A

COOLEY GODWARD LLP
STACY, WAYNE O.
ONE FREEDOM SQUARE - RESTON TOWN CENTER
11951 FREEDOM DRIVE
RESTON, VA 20190-5601

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/29/2001

REEL/FRAME: 011564/0929
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

TINDAL, GLEN D.

DOC DATE: 12/06/2000

ASSIGNOR:

SCHENK, JEFFERY A.

DOC DATE: 12/21/2000

ASSIGNEE:

CONTINUUM NETWORKS, INC.
90 SOUTH CASCADE AVENUE, SUITE 500
COLORADO SPRINGS, COLORADO 80903

SERIAL NUMBER: 09730671

FILING DATE: 12/06/2000

PATENT NUMBER:

ISSUE DATE:

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECEIVED

MAY 17 2001

COOLEY GODWARD LLP

ENTERED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



101634681B

AUTHORIZATION TO CHARGE ADDITIONAL FEES TO DEPOSIT ACCOUNT

MAY 15, 2001

TO: OFFICE OF FINANCE
FROM: ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS
SUBJECT: DEPOSIT ACCOUNT CHARGE(S)

CHARGE THE DEPOSIT ACCOUNT LISTED BELOW ADDITIONAL FEE(S) AS INDICATED
BELOW. AUTHORIZATION TO CHARGE ADDITIONAL FEES HAS BEEN PROVIDED PER
THE ATTACHED COVER SHEET, OR BY DIRECT CONTACT WITH THE CUSTOMER.

DEPOSIT ACCOUNT NUMBER: 022903
PROPERTY NUMBER: 09730671

RECORDING FEES:

FEE CODE: 581 AMOUNT: 40

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT
THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

TRADEMARK SERVICE FEES:	FEE CODE:
RECORDING FIRST MARK	481
RECORDATION SECOND AND SUBSEQUENT MARK IN SAME DOCUMENT	482
LABOR CHARGES FOR SERVICES PER HOURS OR FRACTION THEREOF	484
UNSPECIFIED OTHER SERVICES	485

PATENT SERVICE FEES:

RECORDING EACH PATENT ASSIGNMENT, AGREEMENT, OTHER PAPER, PER PROPERTY	581
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LABOR CHARGES FOR SERVICES PER HOUR	584
(\$30) OR FRACTION THEREOF	
UNSPECIFIED OTHER SERVICES	585

**RECORDATION FORM COVER SHEET
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- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

- ☐ Mark if additional names of conveying parties attached
- Name (line 1) Execution Date
Month Day Year
- Name (line 2)

Second Party

- Name (line 1) Execution Date
Month Day Year
- Name (line 2)

Receiving Party

- ☐ Mark if additional names of receiving parties attached

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- Address (line 2)
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Domestic Representative Name and Address

Enter for the first Receiving Party only.

- Name
- Address (line 1)
- Address (line 2)
- Address (line 3)
- Address (line 4)

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number **720-566-4125**

Name **Stacy, Wayne O.**

Address (line 1) **Cooley Godward LLP**

Address (line 2) **One Freedom Square - Reston Town Center**

Address (line 3) **11951 Freedom Drive**

Address (line 4) **Reston, VA 20190-5601**

Pages

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Application Number(s) or Patent Number(s)

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Patent Number(s)

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Month Day Year

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Enter PCT application number
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PCT

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PCT

PCT

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Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed ☐

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

022903

Authorization to charge additional fees:

Yes ☒

No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Wayne O. Stacy

Name of Person Signing

Signature

01/26/01

Date

ASSIGNMENT
(Joint)

Glen Tindal, residing at 5331 Wells Fargo Drive, Colorado Springs, CO 80918; **Jeffery A. Schenk**, 996 Hartford Street, Cambria, CA 93428; (each hereinafter referred to as "Assignor") has made an invention(s) relating to certain new and useful improvements in:

**DYNAMIC CONFIGURATION OF NETWORK DEVICES
TO ENABLE DATA TRANSFERS**

set forth in an application for Letters Patent of the United States, which is a

- (1) ☐ provisional application
 (a) ☐ to be filed herewith; or
 (b) ☐ bearing Application No. _____, and filed on _____; or
- (2) ☒ non-provisional application
 (a) ☐ having an oath or declaration executed on _____ prior to filing of application; or
 (b) ☐ to be filed herewith; or
 (c) ☒ bearing Application No. 09/730,671, and filed on December 6, 2000; and

WHEREAS, **Continuum Networks, Inc.**, a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at 90 South Cascade Ave., Suite 500, Colorado Springs, CO 80903 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said application, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;


AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is the sole and lawful owner of the entire right, title, and interest in and to the invention(s) set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said invention(s) or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said invention(s) in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said invention(s), without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby authorizes and requests the attorneys of COOLEY GODWARD L.L.P. to insert in the spaces provided above the filing date, application number, the date of execution of the oath or declaration, and attorney docket number of said application when known;

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said invention(s) and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.


Date: 12/6/00

By: 
Glen D. Tindal

State of: Colorado

County of: Boulder

The preceding Assignment was acknowledged before me this 6th day of December, 2000
by Glen D. Tindal


Notary Public

My Commission Expires: 1/27/2001

Date: 12-21-2000

By: Jeffery A. Schenk
Jeffery A. Schenk

State of: CALIFORNIA

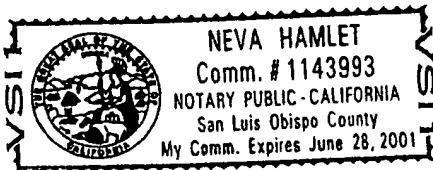
County of: SAN LUIS OBISPO

The preceding Assignment was acknowledged before me this 21ST day of DECEMBER
by NEVA HAMLET, NOTARY PUBLIC

Neva Hamlet, Notary Public

Notary Public

My Commission Expires:





01-30-01

D

Attorney Docket No: CNTW-004/00US

PATENT

Express Mail Label No. EL 841765288 US Date of Deposit: 1/29/2001

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Date: 1/29/2001 By: [Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tindal et al.

Serial No. 09/730,671

Examiner: Not Assigned

Filed: December 6, 2000

Art Unit: Not Assigned

For: **Dynamic Configuration of Network Devices to Enable Data Transfers**

Assistant Commissioner for Patents
Washington, D. C. 20231

TRANSMITTAL OF ASSIGNMENT

Transmitted herewith for filing in the above-identified application are the following documents:

- Recordation Coversheet
- Assignment

Respectfully submitted,
COOLEY GODWARD LLP

By [Signature]
Wayne O. Stacy
Reg. No.: 45,125

CUSTOMER NUMBER: **022903**

Cooley Godward LLP
Attention: PATENT GROUP
One Freedom Square – Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5601
(720) 566-4125

29M#01!.DOC
105939 v1/BD
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